

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 108th Congress ¹**

[Date approved: March 18, 2004]²

Bill No. and sponsor: H.R. 2646 (Ms. Myrick)

Proponent name, location: DyStar, L P.
Charlotte, NC

Other bills on product (108th Congress only): None

Nature of bill: Extension of expired heading 9902.32.05 through December 31, 2008.

Retroactive effect: January 1, 2004.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Mixture of 3-phenyl-7-(4-propoxyphenyl)benzo-(1,2-*b*:4,5-*b'*)-difuran-2,6-dione, (CAS No. 79694-17-0); 4-(2,6-dihydro-2,6-dioxo-7-phenylbenzo-(1,2-*b*:4,5-*b'*)-difuran-3-yl)phenoxyacetic acid, 2-ethoxyethyl ester (CAS No. 126877-05-2); and 4-(2,6-dihydro-2,6-dioxo-7-(4-propoxyphenyl)benzo-(1,2-*b*:4,5-*b'*)-difuran-3-yl)phenoxy)phenoxy)acetic acid, 2-ethoxyethyl ester (CAS No. 126877-06-3) (the foregoing provided for in subheading 3204.11.35)

Check one: ☐ Same as that in bill as introduced
☒ Different from that in bill as introduced (explain differences in Technical comments section)

Product information, including uses/applications and source(s) of imports:

This synthetic organic chemical is a “disperse” dyestuff used for dyeing polyester. Dystar is importing the product from its manufacturing plant in Germany, using the trade name Dianix Crimson SF.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: Dave Beck (202-205-2603).

² Access to an electronic copy of this memorandum is available at <http://www.usitc.gov/billrpts.htm> Access to a paper copy is available at the Commission's Law Library (202-205-3287) or at the Commission's Main Library (202-205-2630).

Estimated effect on customs revenue:

HTS subheading: 3204.11.35					
	2004	2005	2006	2007	2008
Col. 1-General rate of duty (AVE) <u>1/</u>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$560,350	\$560,350	\$560,350	\$560,350	\$560,350
Customs revenue loss	\$36,423	\$36,423	\$36,423	\$36,423	\$36,423

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: "Industry estimates."

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Dystar L.P. Van Hawkins; 704/561-3020 Hawkins.Van@Dystar.com	02/01/04	No	No	No
BASF, Functional Polymers Bus. Group Joseph Breunig, 704/587-7900	02/20/04	No	No	No
Bayer Corporation, Karen Neidermeyer, 412/777-2058	02/20/04	No	No	No
Ciba Specialty Chemicals Michelle Forte, 914/785-2483	02/20/04	No	No	No
Clarient Corporation, Ken Golder, 704/331-7086	02/20/04	No	No	No
Day-Glo Corporation Richard Thornton, 216/391-7070	02/20/04	No	No	No

ETAD Tucker Helms, PhD, 202/721-4154	02/20/04	No	No	No
Everlight, USA, Inc., Scott Chen, 704/558-1004	02/20/04	No	No	No
Fanwood Chemical Inc. Mr. V.M. (Jim) DiLisi	02/20/04	No	No	No
Milliken Industries, Ray Saunders, 864/503-1618	02/20/04	No	No	No
Passaic Color, John Wojciechowski, 973/279-0400	02/20/04	No	No	No
Rohm & Haas, Steven Volger, 215/592-3425	02/20/04	No	No	No
Sensient, Dan Victor, 314/286-7167	02/20/04	No	No	No

Technical comments:³

Minor editorial changes were made to the spelling of the chemical name. In particular, there were printing errors in the CAS numbers. The Commission also notes that there is a minor spelling error in the article description for expired heading 9902.32.05, which has been corrected here.

The Commission suggests that, if possible, the Color Index name be added to the article description to facilitate Customs administration of the provision.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

108TH CONGRESS
1ST SESSION

H. R. 2646

To suspend temporarily the duty on Dianix Crimson SF.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2003

Mrs. MYRICK introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on Dianix Crimson SF.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DIANIX CRIMSON SF.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by striking heading 9902.32.05 and inserting the
7 following:

“	9902.32.05	Mixture of 3-phenyl-7-(4-propoxyphenyl)benzo-(1,2- <i>b</i> :4,5- <i>b'</i>)-difuran-2,6-dione (CAS No. 79694 0917 090); 4-(2,6-dihydro-2,6-dioxo)-7-phenylbenzo-(1,2- <i>b</i> :4,5- <i>b'</i>)-difuran-3-ylphenoxyacetic acid, 2-ethoxyethyl ester (CAS No. 126877 FF 0905 FF092); and 4-(2,6-dihydro-2,6-dioxo-7-(4-propoxyphenyl)-benzo-(1,2- <i>b</i> :4,5- <i>b'</i>)-difuran-3-yl)-phenoxy)phenoxy)-acetic acid, 2-ethoxyethyl ester (CAS No. 126877 FF0906 FF093) (the foregoing mixture provided for in subheading 3204.11.35) ...	Free	No change	No change	On or before 12/31/2008	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.